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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-896

13 **SHERLETHA MONIQUE NELSON**  
13901 Oak Bend  
Baker, LA 70714

**A C C U S A T I O N**

14 **Registered Nurse License No. 674685**

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
21 Consumer Affairs.

22 2. On or about February 28, 2006, the Board of Registered Nursing issued Registered  
23 Nurse License Number 674685 to Sherletha Monique Nelson (Respondent). The Registered  
24 Nurse License expired on July 31, 2007, and has not been renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Registered Nursing (Board),  
27 Department of Consumer Affairs, under the authority of the following laws. All section  
28 references are to the Business and Professions Code unless otherwise indicated.

1           4.     Section 2750 of the Business and Professions Code ("Code") provides, in pertinent  
2 part, that the Board may discipline any licensee, including a licensee holding a temporary or an  
3 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the  
4 Nursing Practice Act.

5           5.     Section 2764 of the Code provides, in pertinent part, that the expiration of a license  
6 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the  
7 licensee or to render a decision imposing discipline on the license.

8           6.     Section 118, subdivision (b), of the Code provides that the expiration of a license  
9 shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period  
10 within which the license may be renewed, restored, reissued or reinstated.

#### 11                                   **STATUTORY PROVISIONS**

12           7.     Section 2761 of the Code states:

13                 "The board may take disciplinary action against a certified or licensed nurse or deny an  
14 application for a certificate or license for any of the following:

15                 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

16                 ....

17                 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action  
18 against a health care professional license or certificate by another state or territory of the United  
19 States, by any other government agency, or by another California health care professional  
20 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that  
21 action."

#### 22                                   **COST RECOVERY**

23           8.     Business and Professions Code section 125.3 of the Code provides, in pertinent part,  
24 that the Board may request the administrative law judge to direct a licentiate found to have  
25 committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable  
26 costs of the investigation and enforcement of the case, with failure of the licentiate to comply  
27 subjecting the license to not being renewed or reinstated. If a case settles, recovery of  
28 investigation and enforcement costs may be included in a stipulated settlement.

1 **CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct - Out of State Discipline)**

3 9. Respondent has subjected her license to disciplinary action under Code section 2761,  
4 subdivision (a)(4), in that on or about October 4, 2012, in a disciplinary action before the  
5 Louisiana State Board of Nursing (Louisiana Board), the Louisiana Board entered a Consent  
6 Order to issue an official letter of reprimand against Respondent's Louisiana registered nurse  
7 license, effective October 8, 2012, and to require Respondent complete the following stipulations:

8 a. Within six months, submit written evidence of completion of ten (10) hours of  
9 Louisiana Board staff approved continuing education hours in the areas of Physical Assessment.

10 b. Within twelve months, submit payment of \$200.00 to the Louisiana Board as  
11 cost of Consent Order.

12 c. Within twelve months, submit payment of \$750.00 to the Louisiana Board as  
13 fines.

14 d. Immediately (within 72 hours) inform the Louisiana Board in writing of any  
15 change of address.

16 e. Not have any misconduct, criminal violations or convictions, or violations of  
17 any health care regulations reported to the Louisiana Board related to this or any other incidents.

18 f. Failure to comply with the above orders shall result in the immediate  
19 suspension of Respondent's license. This suspension can be imposed by action of the Executive  
20 Director subject to the discretionary review of the Louisiana Board.

21 10. The circumstances of the Louisiana Board's Order are that on or about March 20,  
22 2010, that while employed as a registered nurse at Plaquemine Manor Nursing Home in  
23 Plaquemine, Louisiana, and assigned as the weekend registered nurse supervisor, Respondent  
24 failed to practice nursing in accordance with the legal standards of nursing practice, as follows:

25 a. Failed to assess patient DM<sup>1</sup>.

26  
27 <sup>1</sup> Patient initials are used to protect the patient's privacy. Full names will be released to  
28 Respondent in discovery.

b. Failed to timely intervene regarding patient DM's change in status by administering medication as ordered.

c. Failed to timely notify the physician or the patient's family member about patient DM's change in condition.

d. Improperly delegated complex care to a licensed practical nurse after a significant change in Patient DM's status.

**PRAYER**


WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 674685, issued to Sherletha Monique Nelson;

2. Ordering Sherletha Monique Nelson to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: APRIL 9, 2013

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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